



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



Bernard and Gloria Cornell
73 Concord Drive
Webster, NH 03303

LETTER OF DEFICIENCY

#SP-2002-16

July 23, 2002

RE: DES Wetlands File #2002-01401 73 Concord Drive, Webster

Dear Mr. and Mrs. Cornell:

On July 19, 2002, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, identified as Webster Tax Map 10, Lot 3-18, 73 Concord Drive, Webster, New Hampshire (the "Property"). The purpose of this site inspection was to determine compliance with RSA 483-B, The Comprehensive Shoreland Protection Act. During the inspection the following deficiencies were noted:

- Within the natural woodland buffer of the protected shoreland, a well-distributed stand of trees, saplings, shrubs and ground covers was not left in place.

In response, you are requested to take the following actions:

Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES.

The restoration plan should include replacement of native and natural vegetation and restoration of the natural shoreline of Pillsbury Lake. Please submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing;
 - i. existing conditions,
 - ii. proposed conditions after restoration with native vegetation.
 - b. A detailed description of the proposed means of erosion and sediment controls to prevent erosion into Pillsbury Lake that will be implemented during the restoration.
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A plantings plan showing the number, type of plant species and proposed location of plantings. Saplings should be a minimum of 4-6 feet in height and all plantings should be from the list of New Hampshire native and naturalized species. Saplings should be proposed in areas where trees were removed.
 - d. A description of the proposed construction sequence and methods for accomplishing the restoration, and time frame for completion.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

Please be advised that any work done within the bank of Pillsbury Lake will require a permit from the DES Wetlands Bureau. The Wetlands Bureau can be reached at (603) 271-2147.

RSA 482-A, the New Hampshire Wetlands Law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit.

RSA 483-B, CSPA, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establishes minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Allyson Gourley, Shoreland Compliance Coordinator
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act, a copy of the Act, administrative rules Env-Ws 1400, proper installation and maintenance of erosion control measures; as well as information regarding the application for a NHDES Wetlands permit. Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Allyson Gourley at (603) 271-6876.

Sincerely,

COPY

Mary Ann Tilton

Senior Enforcement Officer
DES Wetlands Bureau

CERTIFIED MAIL #7099 3400 0003 0688 0382

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen Rule, Administrator, DES Legal Unit
Mark Harbaugh, DES Enforcement Attorney
Webster Conservation Commission
Webster Board of Selectmen
David Killoy, USACOE